

(c) Training and Drills incorporating emergency response and evacuation procedures conducted periodically for all personnel (including contractor's personnel), as required by the SEMS training program (§250.1915). Drills must be based on realistic scenarios conducted periodically to exercise elements contained in the facility or area emergency action plan. An analysis and critique of each drill must be conducted to identify and correct weaknesses.

**§250.1919 What criteria for investigation of incidents must be in my SEMS program?**

To learn from incidents and help prevent similar incidents, your SEMS program must establish procedures for investigation of all incidents with serious safety or environmental consequences and require investigation of incidents that are determined by facility management or BOEMRE to have possessed the potential for serious safety or environmental consequences. Incident investigations must be initiated as promptly as possible, with due regard for the necessity of securing the incident scene and protecting people and the environment. Incident investigations must be conducted by personnel knowledgeable in the process involved, investigation techniques, and other specialties that are relevant or necessary.

(a) The investigation of an incident must address the following:

- (1) The nature of the incident;
- (2) The factors (human or other) that contributed to the initiation of the incident and its escalation/control; and
- (3) Recommended changes identified as a result of the investigation.

(b) A corrective action program must be established based on the findings of the investigation in order to analyze incidents for common root causes. The corrective action program must:

- (1) Retain the findings of investigations for use in the next hazard analysis update or audit;
- (2) Determine and document the response to each finding to ensure that corrective actions are completed; and
- (3) Implement a system whereby conclusions of investigations are distributed to similar facilities and appro-

priate personnel within their organization.

**§250.1920 What are the auditing requirements for my SEMS program?**

(a) You must have your SEMS program audited by either an independent third-party or your designated and qualified personnel according to the requirements of this subpart and API RP 75, Section 12 (incorporated by reference as specified in §250.198) within 2 years of the initial implementation of the SEMS program and at least once every 3 years thereafter. The audit must be a comprehensive audit of all thirteen elements of your SEMS program to evaluate compliance with the requirements of this subpart and API RP 75 to identify areas in which safety and environmental performance needs to be improved.

(b) Your audit plan and procedures must meet or exceed all of the recommendations included in API RP 75 section 12 (incorporated by reference as specified in §250.198) and include information on how you addressed those recommendations. You must specifically address the following items:

- (1) Section 12.1 General.
- (2) Section 12.2 Scope.
- (3) Section 12.3 Audit Coverage.
- (4) Section 12.4 Audit Plan. You must submit your written Audit Plan to BOEMRE at least 30 days before the audit. BOEMRE reserves the right to modify the list of facilities that you propose to audit.
- (5) Section 12.5 Audit Frequency, except your audit interval must not exceed 3 years after the 2 year time period for the first audit.
- (6) Section 12.6 Audit Team. The audit that you submit to BOEMRE must be conducted by either an independent third party or your designated and qualified personnel. The independent third party or your designated and qualified personnel must meet the requirements in §250.1926.

(c) You must require your auditor (independent third party or your designated and qualified personnel) to submit an audit report of the findings and conclusions of the audit to BOEMRE within 30 days of the audit completion

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date. The report must outline the results of the audit, including deficiencies identified.

(d) You must provide the BOEMRE a copy of your plan for addressing the deficiencies identified in your audit within 30 days of completion of the audit. Your plan must address the following:

(1) A proposed schedule to correct the deficiencies identified in the audit. BOEMRE will notify you within 14 days of receipt of your plan if your proposed schedule is not acceptable.

(2) The person responsible for correcting each identified deficiency, including their job title.

(e) BOEMRE may verify that you undertook the corrective actions and that these actions effectively address the audit findings.

### **§§ 250.1921–250.1923 [Reserved]**

#### **§ 250.1924 How will BOEMRE determine if my SEMS program is effective?**

(a) BOEMRE or its authorized representative may evaluate or visit your facility to determine whether your SEMS program is in place, addresses all required elements, and is effective in protecting the safety and health of workers, the environment, and preventing incidents. BOEMRE or its authorized representative may evaluate your SEMS program, including documentation of contractors, independent third parties, your designated and qualified personnel, and audit reports, to assess your SEMS program. These evaluations or visits may be random or based upon the OCS lease operator's or contractor's performance.

(b) For the evaluations, you must make the following available to BOEMRE upon request:

(1) Your SEMS program;

(2) The qualifications of your independent third-party or your designated and qualified personnel;

(3) The SEMS audits conducted of your program;

(4) Documents or information relevant to whether you have addressed and corrected the deficiencies of your audit; and

(5) Other relevant documents or information.

(c) During the site visit BOEMRE may verify that:

(1) Personnel are following your SEMS program,

(2) You can explain and demonstrate the procedures and policies included in your SEMS program; and

(3) You can produce evidence to support the implementation of your SEMS program.

(d) Representatives from BOEMRE may observe or participate in your SEMS audit. You must notify the BOEMRE at least 30-days prior to conducting your audit as required in §250.1920, so that BOEMRE may make arrangements to observe or participate in the audit.

#### **§ 250.1925 May BOEMRE direct me to conduct additional audits?**

(a) If BOEMRE identifies safety or non-compliance concerns based on the results of our inspections and evaluations, or as a result of an event, BOEMRE may direct you to have an independent third-party audit of your SEMS program, in addition to the regular audit required by §250.1920, or BOEMRE may conduct an audit.

(1) If BOEMRE direct you to have an independent third-party audit,

(i) You are responsible for all of the costs associated with the audit, and

(ii) The independent third-party audit must meet the requirements of §250.1920 of this part and you must ensure that the independent third party submits the findings and conclusions of a BOEMRE-directed audit according to the requirements in §250.1920 to BOEMRE within 30 days after the audit is completed.

(2) If BOEMRE conducts the audit, BOEMRE will provide a report of the findings and conclusions within 30 days of the audit.

(b) Findings from these audits may result in enforcement actions as identified in §250.1927.

(c) You must provide the BOEMRE a copy of your plan for addressing the deficiencies identified in the BOEMRE-directed audit within 30 days of completion of the audit as required in §250.1920.